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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,643	02/16/2001	Jonathan David Goodwin	40627/FLC/S850	3578

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EXAMINER

GREENE, DANIEL L

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/785,643

Applicant(s)

GOODWIN, JONATHAN DAVID

Examiner

Daniel L. Greene

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 15.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-12, 14, 15, 19-21, 24-29, 34-35, and 39-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berson U.S. Patent 5,598,477 [Berson], and further in view of Rosen U.S. Patent 5,621,797 [Rosen].**

As per claims 1, 19 and 39:

Berson discloses:

receiving validation information from an end-user's machine via the computer network; Col. 2, lines 1-10.

generating value bearing indicium data using the validation information; Col. 2, lines 1-10.

Berson discloses the claimed invention except for the storing the value bearing indicium data in a validation information database. However, Berson does teach about downloading at least a portion of the ticket information for reconciliation of accounts. Col. 2, lines 13-17. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to have a database for storing data since it is known in the art that downloading a portion of the ticket information for

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reconciliation requires the ticket data to be stored in a data base for retrieval at a later time for reconciliation. Berson does not expressly show storing the value bearing indicium data in a validation information database but these differences are only found in the nonfunctional descriptive material and are not functionally involved in the steps recited. The storing of data in a database would be performed the same regardless of the type of data involved and the name of the database. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to storing the value bearing indicium data in a validation information database because such data (value bearing indicium and validation information modifiers) does not functionally relate to the steps in the method claimed and because the subjective interpretation of the data does not patentably distinguish the claimed invention. Also, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the financial transaction system of Berson with the storing the value bearing indicium data in a validation information database , in order to maintain a record of the transaction and utilize the data for future verification of the transaction.

transmitting the value bearing indicium data to the end-user's machine via the computer network; Col. 2, lines 5-8.

receiving the value bearing indicium data from a scanning machine via the computer network. Col. 4, lines 18-42.

Berson discloses the claimed invention but does not specifically teach determining a validity status for the value bearing indicium data using the validation information database and transmitting the validity status to the scanning machine.

Rosen teaches that it is known in the art to provide determining a validity status for the value bearing indicium data using the validation information database and transmitting the validity status to the scanning machine. Col. 25, lines 15-67. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the validation system of Berson with the determining a validity status for the value bearing indicium data using the validation information database and transmitting the validity status to the scanning machine of Rosen, in order to authenticate the validity of the value bearing indicium..

As per claims 2 and 42:

Berson further discloses:

receiving a value bearing indicium data request from the end-user's machine via the computer network; Col. 2, lines 1-20.

generating the validation information from the value bearing indicium data request; Col. 2, lines 1-29. and

transmitting the validation information to the end user's machine via the computer network. Col. 2, lines 1-20.

As per claims 3 and 23:

Berson discloses the claimed invention except for the further comprising the step of transmitting the validity status to a value bearing indicium distributor. Rosen teaches that it is known in the art to further comprising the step of transmitting the validity status to a value bearing indicium distributor. Fig. 5 Col. 10, lines 15-46. Berson does disclose the concept of an Offline Store for the validation and reconciliation of the value bearing indicium. Col. 4, lines 33-40. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the Offline Store for reconciling a ticket the validity status of the ticket with the further comprising the step of transmitting the validity status to a value bearing indicium distributor of Rosen, in order to maintain current status of the value bearing indicium. Further, the applicant has not disclosed that further comprising the step of transmitting the validity status to a value bearing indicium distributor. solves any stated problem in a new or unexpected way or is for any particular purpose which is unobvious to one of ordinary skill and it appears that the claimed feature does not distinguish the invention over similar features in the prior art since, the teachings of Berson will perform the invention as claimed by the applicant with any means, method, or product to transmitting the validity status to a value bearing indicium distributor.

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As per claims 4, 14, 20 , 34 and 40:

Berson discloses the claimed invention except for wherein the validity status of the value bearing indicium data is determined to be invalid if the value bearing indicium data is not found in the validation information database. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to wherein the validity status of the value bearing indicium data is determined to be invalid if the value bearing indicium data is not found in the validation information database. since it is known in the art that if information required to validate an item is not present in a database used to validate data, then the data is invalid.

As per claims 5, 15 , 21 , 35 and 41:

Berson discloses the claimed invention except for wherein the validity status of the value bearing indicium data is determined to be redeemed if the value bearing indicium data is found in the validation information database and the value bearing indicium data has been previously redeemed. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to wherein the validity status of the value bearing indicium data is determined to be redeemed if the value bearing indicium data is found in the validation information database and the value bearing indicium data has been previously redeemed since it is known in the art that after a value bearing indicium has been used, validating a used value bearing indicium will show it was used.

As per claims 6 and 24:

Berson further discloses:

wherein the value bearing indicium data is a ticket. Col. 3, lines 20-30.

As per claims 7 and 25:

PTO's guide lines for examining claimed language require: the examiner must make a determination, whether the claimed invention " as a whole" would have been obvious at the time of the invention to one of ordinary skill in the art. See MPEP 2142. In these pending claims, the examiner submits that the following particular language does not serve as a limitation on the claim (i.e., "postage for a mail piece").

As per claims 8 and 26:

PTO's guide lines for examining claimed language require: the examiner must make a determination, whether the claimed invention " as a whole" would have been obvious at the time of the invention to one of ordinary skill in the art. See MPEP 2142. In these pending claims, the examiner submits that the following particular language does not serve as a limitation on the claim (i.e., "data is currency").

As per claims 9 and 27:

PTO's guide lines for examining claimed language require: the examiner must make a determination, whether the claimed invention " as a whole" would have been

obvious at the time of the invention to one of ordinary skill in the art. See MPEP 2142. In these pending claims, the examiner submits that the following particular language does not serve as a limitation on the claim (i.e., "data is a voucher").

As per claims 10 and 28:

PTO's guide lines for examining claimed language require: the examiner must make a determination, whether the claimed invention "as a whole" would have been obvious at the time of the invention to one of ordinary skill in the art. See MPEP 2142. In these pending claims, the examiner submits that the following particular language does not serve as a limitation on the claim (i.e., "data is a coupon").

As per claims 11 and 29:

PTO's guide lines for examining claimed language require: the examiner must make a determination, whether the claimed invention "as a whole" would have been obvious at the time of the invention to one of ordinary skill in the art. See MPEP 2142. In these pending claims, the examiner submits that the following particular language does not serve as a limitation on the claim (i.e., "data is a traveler's check").

As per claims 12:

Berson further discloses:

wherein the step of generating value bearing indicium data using the validation information includes the steps of;

generating a message digest by hashing a first subset of the validation information; Col. 5, lines 10-25

generating a digital signature from the message digest; Col. 4, lines 25-35.

generating a bar code from a second subset of the validation information.

Fig. 4B

3. Claims 13, 16-18, 22-23, 30-33, 36-38, and 43-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis et al U.S. Patent 6,233,565 [Lewis], and further in view of Berson.

As per claim 13:

Lewis discloses the claimed invention except for detailing the specific steps in reference to a ticket transaction. However, Lewis does teach that his system is applicable to transactions involving tickets for travel/transportation other ticket issuing entities. Col. 38, lines 35-45.. Berson teaches that it is known in the art to provide an apparatus and method for issuing and validating tickets that incorporate the generic actions taught by Lewis. It would have been obvious to one having ordinary skill in the art at the time the invention was made to illustrate the conceptual actions of Lewis's internet based financial transactions with evidence of payment into the specific transaction of acquiring a ticket as per Berson in order to facilitate the application presented by Lewis.

Berson discloses: Col. 3-4, lines 1-67.

providing a ticket server, the ticket server operable coupled to a validation information database;

providing a distributor server;

receiving a ticket request from an end-user's machine by the distributor server via the computer network; generating validation information from the ticket request by the distributor server;

transmitting the validation information to the end user's machine by the distributor server via the computer network;

receiving by the ticket server the validation information from the end-user's machine via the computer network;

generating by the ticket server a ticket using the validation information;

storing the ticket in the validation information database;

transmitting the ticket to the end-user's machine by the ticket server via the computer network;

receiving the ticket from a scanning machine by the ticket server via the computer network;

determining a validity status for the ticket by the ticket server using the validation information database;

transmitting the validity status to the scanning machine by the ticket server via the computer network; and

transmitting the validity status to the distributor server by the ticket server via the computer network.

As per claims 16 , 30 , 36 and 43:

Lewis further discloses:

the step of generating a ticket using the validation information including the steps of:

generating a message digest by hashing a first subset of the validation information; Col. 5, lines 10-25.

generating a digital signature from the message digest; Col. 4, lines 25-40.

generating a bar code from a second subset of the validation information; Col. 14, lines 15-20. and

transmitting via the computer network the digital signature and the bar code to the end-user's machine to be printed as a ticket. Col. 18, lines 53-67.

As per claims 17 , 31 ,37 and 44:

Lewis further discloses:

wherein the messages digest is generated using a secure hash algorithm. Col. 5, lines 10-30.

As per claims 18 , 32 , 38 and 45:

Lewis further discloses:

wherein the digital signature is generated using a digital signature algorithm. Col. 4, lines 20-40.

As per claim 22:

Lewis further discloses:

a distributor server, the distributor server including:

a processor; Fig. 3

a memory operable coupled to the processor and having program instructions stored therein, the processor being operable to execute the program instructions; Fig. 3

the program instructions including:

receiving a value bearing indicium data request from the end-user's machine via the computer network; Col. 5, lines 25-60.

generating the validation information from the value bearing indicium data request; Col. 5, lines 25-60.

transmitting the validation information to the end-user's machine via the computer network. Col. 5, lines 25-60.

As per claim 23:

Lewis further discloses:

the indicium server program instructions further including transmitting the validity status to the distributor server. Col. 16, lines 5-50.

As per claim 33:

Lewis discloses:

a distributor server, the distributor server including:

a processor; Fig. 3

a memory operable coupled to the processor and having program instructions stored therein, the processor being operable to execute the program instructions; Fig. 3

the program instructions including:

receiving a value bearing indicium data request from the end-user's machine via the computer network; Col. 5, lines 25-60.

generating the validation information from the value bearing indicium data request; Col. 5, lines 25-60.

transmitting the validation information to the end-user's machine via the computer network. Col. 5, lines 25-60.

Lewis discloses the claimed invention except for detailing the specific steps in reference to a ticket transaction. However, Lewis does teach that his system is applicable to transactions involving tickets for travel/transportation other ticket issuing

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entities. Col. 38, lines 35-45.. Berson teaches that it is known in the art to provide an apparatus and method for issuing and validating tickets that incorporate the generic actions taught by Lewis. It would have been obvious to one having ordinary skill in the art at the time the invention was made to illustrate the conceptual actions of Lewis's internet based financial transactions with evidence of payment into the specific transaction of acquiring a ticket as per Berson in order to facilitate the application presented by Lewis.

Berson discloses: Col. 3-4, lines 1-67.

providing a ticket server, the ticket server operable coupled to a validation information database;

providing a distributor server;

receiving a ticket request from an end-user's machine by the distributor server via the computer network; generating validation information from the ticket request by the distributor server;

transmitting the validation information to the end user's machine by the distributor server via the computer network;

receiving by the ticket server the validation information from the end-user's machine via the computer network;

generating by the ticket server a ticket using the validation information;

storing the ticket in the validation information database;

transmitting the ticket to the end-user's machine by the ticket server via the computer network;

receiving the ticket from a scanning machine by the ticket server via the computer network;

determining a validity status for the ticket by the ticket server using the validation information database;

transmitting the validity status to the scanning machine by the ticket server via the computer network; and

As per claim 46:

Lewis further discloses:

wherein the first subset of relevant information and the second subset of relevant information are the same. Col. 5, lines 10-30.

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel L. Greene whose telephone number is 703-306-5539. The examiner can normally be reached on M-Thur. 8am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

12/08/2004

DLG


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